



Flathead Conservation District
133 Interstate Lane, Kalispell, MT 59901
www.flatheadcd.org 406-752-4220

CALL TO ORDER & ATTENDANCE

Chair Ronald Buentemeier called the January 14, 2019, 310-Stream Permit meeting to order at 7:00 P.M. in the conference room.

Board members present:

Ronald Buentemeier, Chair; Pete Woll, Vice Chair; Dean Sirucek, Secretary/Treasurer; John Ellis, Supervisor; Verdell Jackson, Supervisor; being a quorum of the Board.

Board members absent: Lori Curtis, Supervisor. Absence is excused.

Also in attendance were: Valerie Kurth, Hailey Graf and Ginger Kauffman, FCD staff; Leo Rosenthal and Kenny Breidinger, MFWP; Donna Pridmore; Tim Birk; Kevin Malloy; Robert Brown.

Election of Board Officers:

Chair – Verdell Jackson motioned “to nominate Ronald Buentemeier as Chair.” John Ellis seconded. Motion carried unanimously.

Vice-Chair – John Ellis motioned “to nominate Pete Woll as Vice-Chair.” Verdell Jackson seconded. Motion carried unanimously.

Secretary/Treasurer – Pete Woll motioned to “nominate Dean Sirucek as Secretary/Treasurer.” John Ellis seconded. Motion carried unanimously.

MINUTES

Dean Sirucek motioned “to approve the minutes of the November 28, 2018, 310 Work Session meeting as presented.” Verdell Jackson seconded. Motion carried unanimously.

Minor corrections were made on pages 4 and 6 of the meeting minutes. Pete Woll motioned “to approve the minutes of the December 10, 2018, 310-meeting as corrected.” Verdell Jackson seconded. Motion carried unanimously.

CORRESPONDENCE

1. Email: Petroleum County CD newsletter *District Dirt* www.petroleumcd.com
 2. Email: Rosebud & Big Horn CD’s newsletter *Conservation Connection*
Contact Rosebud CD 406-346-7333 Ext. 101 or Big Horn CD 406-665-3442
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3. Email: The Montana Grazing Lands Conservation Initiative (GLCI) is accepting applications for mini-grants and demonstration projects for 2019. www.mtglci.org
4. Email: Soil & Water Conservation Districts of Montana *District Dispatch* <https://swcdm.org>
5. Email: National Association of Conservation Districts (NACD) publications: *News Briefs, Conservation Clips, eResource* www.nacdnet.org
6. Email: Montana Watershed Coordination Council newsletter *Watershed News* <https://mtwatersheds.org/app/>
7. Email: DNRC Reclamation & Development Grants program is accepting grant applications until February 28, 2109. Contact Heidi Anderson Fohnagy 406-444-6691, hfohnagy@mt.gov
8. Email: Western Montana Grazing & Agriculture Conference, January 17-18, 2019, DoubleTree Edgewater, Missoula. Contact Heidi lakecountycd@ronan.net 406-676-2841x102 or Ben ben.montgomery@mt.usda.gov 406-676-2841x111
9. Email: Whitefish Planning Board meeting Thursday, January 17, 2019, 6:00 P.M., Whitefish City Council Chambers.
10. Email: Conservation District Supervisor Training, January 16, 2019, Weyerhaeuser Conference Room, Libby, MT, 2:00 P.M. – 4:00 P.M. Contact Becky @ Lincoln County CD lincolncd@interbel.net
11. Email: National Association of Conservation (NACD) publications: *Conservation Clips, Forestry Notes* www.nacd.org
12. Email: Soil & Water Conservation Districts of Montana (SWCDM) publication *The Montana Conservationist* www.swcdm.org
13. Email: Flathead Audubon newsletter *Pileated Post* <https://www.flatheadaudubon.org>
14. Email: Montana Watershed Coordination Council *Annual Meeting*, January 28-29, Montana State Capital, Helena, <https://mtwatersheds.org>
15. Email: The Montana Rangeland Resources Committee and the Rangeland Resource Program at DRNC announce a unique opportunity for 2 students for the summer of 2019. Students will have the opportunity to spend 2 weeks at each of the 6 host/mentor's ranch operations. This internship is designed to offer beginning agriculturalists, natural resource and range specialists, biologists, soils majors or any student looking into natural resources, the real-world and hands-on experience implementing the educational tools already gained to a ranching operation. This paid internship will last for three months during the 2019 summer where interns will work and learn from mentoring ranchers from across the state of Montana. A wage of \$11/hr. will be paid at the end of each month with room and board supplied by the mentoring/host ranch. Students majoring in any natural resource related field are recommended to apply for this opportunity. Application Deadline is February 1st, 2019. For more information contact Stacey at 406-444-6619, or sbarta@Mt.gov or visit the web site at <http://dnrc.mt.gov/divisions/cardd/conservation-districts/rangeland-resource-program>
16. Email: MT DNRC grants:
 - Renewable Resource Grant & Loan program is accepting applications to fund planning for natural resource projects. To apply go to <https://fundingmt.org>
 - Contact Lindsay Volpe, 406-444-9766 lmvolpe@mt.gov



- Reclamation & Development Grants Program is accepting applications until February 28, 2019, to fund planning & assessment for natural resource projects.

Contact Heidi Anderson Fohnagy 406-444-6691 hfohnagy@mt.gov

17. Email: Job Announcement, American Bird Conservancy, Northern Plains Conservation Specialist, Buffalo, South Dakota. Applications due 1/25/2019. Apply at

Bamboohr.com <https://abcbirds.bamboohr.com/jobs/view.php?id=39>

18. Email: Montana Watershed Coordination Council newsletter *Watershed News*

<https://mtwatersheds.org/app>

FINANCIAL

The following bills were paid prior to this meeting as there was no December business meeting:

1. Centurylink \$279.12
2. Lorne Kermath \$592.50
3. Mountain States Leasing \$1,545.56
4. VISA \$1486.89
5. MontanaSky \$10.00

The following bills were reviewed:

1. Anders Business Solutions \$3,821.00
2. Byte Savvy \$55.00
3. Flathead Beacon \$528.00
4. Mountain Trader \$74.40
5. Susan Hulslander, CPA \$2,280.00
6. VISA \$1598.20

Pete Woll motioned “to approve the bills as presented.” Verdell Jackson seconded. Motion carried unanimously.

PUBLIC COMMENT PERIOD

No one was present to comment on items not listed on the agenda.

310

Brown, FL2019001, Flathead River, bank stabilization: Ronald Buentemeier explained that the landowner had submitted an application (FL2018024) on 5/23/18. The board approved it, and Ronald specified the expiration date as 12/1/18. The landowners were not able to finish by that date, and the permit had expired, so they re-submitted the application. Kenny Breidinger asked if the application was the same as before. Ronald stated yes, it is exactly the same as last time. John Ellis asked why the applicant submitted another application rather than requesting an extension. It was noted that the permit (FL2018024) had expired. The landowner and the contractor had not realized the permit was valid for less than one year.



Ronald Buentemeier motioned “to approve the application as submitted.” Verdell Jackson seconded. Motion carried unanimously.

Gabbert, FL2018049C, Bales Creek, complaint: Dean Sirucek explained that the complaint alleged a well had been dug in the creek bed. When the onsite was held, it was found that the well was not in the stream channel and was not a violation, but Dean had questions about some dog kennels located over the creek channel. The complaint was tabled at the December 310-meeting, and the County Attorney was contacted for advice regarding the dog kennels. Supervisors reviewed recommendations from Caitlin Overland, Flathead County Attorney’s office.

Dean stated that the landowner called the office after the meeting and staff explained that the complaint was tabled, and that the County Attorney was being contacted for advice regarding the kennels. The landowner then called Dean, and he informed them of what was found during the onsite inspection. The landowner understood the problems with placing dog kennels over the stream channel and said she would get the renters to move the kennels as soon as possible. Dean told the landowner that the complaint would be on the January 310-meeting agenda.

Dean stated he did not think another onsite inspection was necessary but would like to make a follow-up call to the landowner to make sure the kennels have been removed. Ronald Buentemeier agreed. John Ellis asked which agency has authority over water quality, which will suffer as a result of the fecal matter from the dogs. Dean replied DEQ; and stated that he had already talked with Margarite Thomas at DEQ.

Dean Sirucek motioned “this is not a violation.” Pete Woll seconded. Motion carried unanimously.

Juno Family Trust, FL2018034C, Walker Creek, complaint: This complaint remains tabled until the Work Completion form is received.

Krost, FL2018070C, Stillwater River, complaint: Verdell Jackson read the response from the landowner, and an onsite inspection was scheduled for Thursday, January 24, 9:45 A.M. at the site.

Morton, FL2018044C, Whitefish River, complaint: Ronald Buentemeier reported a meeting was held with City of Whitefish, Kenny Breidinger with Fish Wildlife & Parks and John Ellis, Lori Curtis, Valerie Kurth and himself. The City Manager will discuss the issue with the City Attorney and Donald MacIntyre, and then the City will get back to the district. John Ellis noted that the City agreed to discuss this at the February 310-meeting.

Kenny Breidinger stated that he believed this would ultimately be a violation, and he wondered if we should request an after-the-fact permit application from the engineer. It would provide information on the trail was design and material specifications. Ronald stated that might be the next step if the district has authority over it.



Kenny also wondered if a discussion should be held with the FWP attorney and Donald MacIntyre. John Ellis stated that was a good idea. The board and Kenny continued to discuss the matter with regard to how involved the City was in the design of the trail. The City has a Master Plan for the entire trail, and they had the design from the engineer available at the meeting.

John asked if the onsite inspection had been held yet. Ronald stated yes, but you were gone. John asked why two supervisors had not attended since it was a complaint. Ronald and Valerie explained that Lori Curtis was supposed to be there but couldn't at the last minute. Ronald suggested holding a second onsite inspection with a second supervisor if the board wished to do so, but he thought the board should wait and see what the City wants to do before moving forward. If the board determines it should be a 310, then we will have to start over and do another onsite inspection with all the information available.

John Ellis motioned "to table the complaint until the next 310-meeting." Dean Sirucek seconded. Motion carried unanimously.

NW Dev. Group, LLC, FL2019003, Trumbull Creek, culvert/road/fill/utilities etc.: An onsite inspection was scheduled for Thursday, January 17, 9:00 A.M. at the site.

Stalow, FL2019002, Bear Creek, removal/salvage trees: An onsite inspection was scheduled for Tuesday, January 22, 9:00 A.M. at the site.

NEW BUSINESS

Signature Authorizations & District Credit Card Re-Allocation: Mark Siderius' term as a Flathead CD Supervisor ended 12/31/2018. John Ellis motioned "to remove Mark Siderius as an authorized signatory on the accounts of the Flathead CD." Verdell Jackson seconded. Motion carried unanimously.

November 2018 End of Month Budget Report: The November 2018 End of Month Budget Report was reviewed with the board. John Ellis motioned "to approve the November 2019 End of Month Budget Report." Verdell Jackson seconded. Motion carried unanimously.

MATTERS OF THE BOARD/STAFF

Pollinator Garden: Hailey Graf introduced the building landlord, Tim Birk, and stated that she and Tim talked about turning the vacant lot to the west of the building into a pollinator demonstration garden. After Tim discussed the options with his bank, he explained that due to encumbrances on the land, he cannot offer a long-term lease. Hailey stated that they came up with two other possible lease options.

The first option would be a two-year lease with a sixty-day, auto renewing lease. The second option, which Hailey prefers, is to add the use of the lot to the existing lease. Tara Fugina, Flathead County Attorney's Office, previously indicated that the second option is acceptable and can be easily implemented. Pete Woll asked for clarification about the sixty-day auto renewing lease. Tim responded that following a standard two-year lease, a new lease would begin every sixty days. He further explained that during original conversations with Hailey



he had suggested the District just use the lot. However, after plans for the pollinator garden became more in-depth, he recognized that the District would need a legal agreement of some kind because of the investment. He agreed that connecting it to the existing lease would be a good option. Ronald Buentemeier asked if the existing lease is a separate lease from NRCS. Tim responded, yes, the District's lease is separate. Hailey stated that Tim had also agreed to give the District first right of refusal for purchasing the lot, should he ever decide to sell the land. Ronald asked what the cost of the lease would be. Tim stated that he had originally suggested no charge but that he and Hailey agreed some compensation would be necessary. As an example, Tim suggested that the District could cover the cost of the lot's property taxes. Hailey added that they had also discussed compensation for the extra water usage. Dean Sirucek asked if changes to the road access due to the proposed apartment buildings across the street would impact the garden. Tim replied that, no, the garden and its access would not be impacted. Verdell Jackson asked how big the lot is and what the taxes are. Tim stated that the lot size is just under an acre, but he didn't know what the taxes are without looking. Ronald thanked Tim for his time and expressed that, as this is a big commitment, the board needs to think through the decision. Tim agreed and offered to support the project with time, supplies, and equipment.

Kenny Breidinger asked for more information about the garden. Hailey stated that the garden would be used to demonstrate conservation practices such as water conservation, alternative weed management, and wind breaks. She added that it would also be a space for teaching workshops and hosting youth education programs. Valerie added that the District is not the first to take on a project like this. She explained that the Gallatin Conservation District has an incredible demonstration garden and learning about it has been inspiring because they Gallatin CD uses the garden for many different types of public outreach and education.

John Ellis asked if Hailey had a definitive budget yet. Hailey responded, no, she doesn't have a budget yet because the District needs to establish a site plan first. Currently, Hailey is working with Forestoration to develop a conceptual site plan. She stated that the next step, which will be on the business meeting agenda, is to discuss what features the District would like to add or remove from the draft site plan. Valerie added that once we have a site plan, District staff will work with Forestoration to determine a budget. John suggested that we find out how much the taxes are on the lot, and Dean stated that it may be difficult to find out because the two lots are likely taxed together. Ronald suggested that the Flathead County Appraisals Office could help determine the tax costs. Ronald also suggested Hailey find out how much the additional water usage would cost. John suggested Hailey contact the city to determine if the water could be metered separately. Hailey added that she hopes to have a draft site plan and design packet to present to the board at the business meeting and that the board is welcome to talk with her about any of their concerns before then.



Work Plan: Valerie Kurth stated that the draft Work Plan was emailed to the board and hard copies were in the folders. She asked supervisors to review it before the January business meeting. Dean Sirucek noted that DEQ may be contacting local partners to ask for public outreach assistance regarding the Flathead Lake TMDL and he asked that this be added to the work plan under public outreach.

Timesheets & Mileage/Expense Sheets: Valerie Kurth stated that timesheets and mileage/expense sheets seem to be an area of confusion recently. She explained that supervisors are paid for their time doing conservation district business, and that this is part of the regular payroll expenses, so it is biweekly. Payroll expenses are paid on this schedule, so the timesheets must be submitted every two weeks.

The mileage/expense sheets are submitted monthly and reflect any incurred mileage or expense for one month. Valerie noted that it is basically as if you are billing or invoicing the district. The district handles it as a monthly expense, just as when we are paying bills. The expenses come out of different lines in the accounting system. Since it is a reimbursement, it is not taxed. The mileage/expense sheets are submitted at the end of the month, but no later than the first payroll of the following month. Valerie added that sheets could be submitted twice a month, but only one month should be listed on the sheet.

Supervisors/Staff were given an updated 2019 calendar including all 26 payroll periods and timesheet due dates.

Supervisor Training, Lincoln County: Valerie Kurth noted no supervisors had contacted her about attending the training.

MACD brochure: Pete Woll asked Supervisors to review the brochure MACD recently sent to legislators. He noted that the brochure was neither presented to the MACD Board or approved by the MACD board.

December MACD meeting, Pete Woll stated that the MACD Board voted to cap all dues at \$17,000.00. He noted that this will be better for Flathead CD because MACD usually assesses the district's dues as much higher. The district paid \$16,000.00 in dues last year.

Board Opening: Valerie Kurth introduced Donna Pridmore and explained that Donna is interested in possibly joining the board. Donna offered a brief background about herself: she has a Master's in hydrogeology and a Bachelor's in geology and education. In the past, she worked for the Forest Service and RLK Hydro. She also worked with Dean Sirucek on the Flathead Headwaters TMDL, and she did private contracting for Blackfeet Reservation. She is currently semi-retired and works part-time for Marquardt Surveying. Kenny noted that Donna is on the Flathead River Commission.



The next business meeting is scheduled for Monday, January 28, 2019, 7:00 P.M. in the conference room of the USDA building at 133 Interstate Lane, Kalispell.

Adjournment: Dean Sirucek motioned "to adjourn." Verdell Jackson seconded. Motion carried unanimously. As there was no further business, the meeting was adjourned at 8:27 P.M.

Submitted By:

Ginger Kauffman
Administrator

Hailey Graf
Assistant Conservationist

Valerie Kurth, Ph. D.
Resource Conservationist

Minutes approved by FCD Board motion made on:

<u>1/28/2019</u>	<u>Ronald Buentemeier</u>	<u>Chair</u>
(Date)	(Signature)	(Title - Chair etc.)

